



DEPARTMENT OF TRANSPORTATION
HAZARDOUS MATERIALS REGULATIONS BOARD
WASHINGTON, D.C. 20590

11686

Title 49—TRANSPORTATION

Chapter I—Hazardous Materials Regulations Board, Department of Transportation

[Docket No. HM-41; Amdt. 178-12]

PART 178—SHIPPING CONTAINER SPECIFICATIONS

Specifications for Fiberboard Boxes; Stitching Staples

The purpose of these amendments to Part 178 of the Hazardous Materials Regulations of the Department of Transportation is to modify the specifications for staples used in the construction of fiberboard boxes.

On January 30, 1970, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-41; Notice No. 70-2 (35 F.R. 1242) proposing to amend DOT Specifications 12B, 12C, 12D, 12H, 23F, 23G, and 23H to provide industry more flexibility in the making of boxes while maintaining a minimum requirement for the strength and efficiency of material used. It was proposed to specify the requirement for staples in terms of equivalency rather than to specifically prescribe their construction.

Interested persons were afforded an opportunity to comment on this proposal. One commenter suggested the addition of a requirement in each specification relating to coating or plating of staples. It should be noted that three of the several specifications involved, specifications 12B, 12C, and 12D, do not require coated staples. The Board believes the "equivalent to copper coated steel in non-sparking quality" criteria sufficiently specifies the level of safety required without further detail. Other commenters responding to the notice favored the proposal.

In consideration of the foregoing, 49 CFR Part 178 of the Hazardous Materials Regulations is amended as follows:

(A) Section 178.205-6 is amended to read as follows:

§ 178.205 Specification 12B; fiberboard boxes.

§ 178.205-6 Stitching staples.

Stitching staples must be made in such a configuration that their holding capability as installed will not be less than that of flat steel staples $\frac{3}{32}$ x 0.019 inch in cross section and not less than $\frac{1}{16}$ -inch wide.

(B) Section 178.206-6 is amended to read as follows:

§ 178.206 Specification 12C; fiberboard boxes.

§ 178.206-6 Stitching staples.

Stitching staples must be made in such a configuration that their holding capability as installed will not be less than that of flat steep staples $\frac{3}{32}$ x 0.019 inch in cross section and not less than $\frac{1}{16}$ -inch wide.

(C) Section 178.207-5 is amended to read as follows:

§ 178.207 Specification 12D; fiberboard boxes.

§ 178.207-5 Stitching staples.

Stitching staples must be made in such a configuration that their holding capability as installed will not be less than that of flat steel staples $\frac{3}{32}$ x 0.019 inch in cross section and not less than $\frac{1}{16}$ -inch wide.

(D) Section 178.209-5 is amended to read as follows:

§ 178.209 Specification 12H; fiberboard boxes.

§ 178.209-5 Stitching staples.

Stitching staples must be made in such a configuration that their holding capability as installed will not be less than that of flat steel staples $\frac{3}{32}$ x 0.019 inch in cross section and not less than $\frac{1}{16}$ -inch wide. Materials used must be at least equivalent to copper coated steel in nonsparking quality.

(E) Section 178.214-5 is amended to read as follows:

§ 178.214 Specification 23F; fiberboard boxes.

§ 178.214-5 Stitching staples.

Stitching staples must be made in such a configuration that their holding capability as installed will not be less than that of flat steel staples $\frac{3}{32}$ x 0.019 inch in cross section and not less than $\frac{1}{16}$ -inch wide. Material used must be at least equivalent to copper coated steel in non-sparking quality.

(F) Section 178.218-4 is amended to read as follows:

§ 178.218 Specification 23G; special cylindrical fiberboard box for high explosives.

§ 178.218-4 Stitching staples.

Stitching staples must be made in such a configuration that their holding capability as installed will not be less than that of flat steel staples $\frac{3}{32}$ x 0.019 inch in cross section and not less than $\frac{1}{16}$ -inch wide. Material used must be at least equivalent to copper coated steel in non-sparking quality.

(G) Section 178.219-4 is amended to read as follows:

§ 178.219 Specification 23H; fiberboard boxes.

§ 178.219-4 Stitching staples.

Stitching staples must be made in such a configuration that their holding capability as installed will not be less than that of flat steel staples $\frac{3}{32}$ x 0.019 inch in cross section and not less than $\frac{1}{16}$ -inch wide. Material used must be at least equivalent to copper coated steel in nonsparking quality.

This amendment is effective October 30, 1970. However, compliance with the regulations as amended herein is authorized immediately.

(Secs. 831-835, Title 18, United States Code; sec. 9, Department of Transportation Act, 49 U.S.C. 1657; Title VI and sec. 902(h), Federal Aviation Act of 1958, 49 U.S.C. 1421-1430 and 1472(h))

Issued in Washington, D.C., on July 16, 1970.

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[F.R. Doc. 70-9413; Filed, July 21, 1970;
8:50 a.m.]